

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY M. DENNETT, JR.,

Defendant.

CASE NO. CR15-5409BHS

ORDER

This matter comes before the Court on the Unopposed Defense Motion to Continue Trial Date and Pretrial Motions Due Date. The Court, having considered the unopposed motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. The defense needs additional time to investigate the facts surrounding this case. Additionally, the parties have not yet conducted a discovery conference where the defense would have an opportunity to inspect all of the physical evidence.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of
3 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
5 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best interests of
7 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

8 6. Defendant waived speedy trial through February 29, 2016.

9 NOW, THEREFORE, IT IS HEREBY ORDERED

10 That the trial date is continued from November 17, 2015 to January 19, 2016 at 9:00 a.m.
11 Pretrial Conference is set for January 11, 2016 at 2:30 p.m. Pretrial Motions are due by
12 December 18, 2015. The resulting period of delay from October 19, 2015, to January 19, 2016 is
hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

13 Dated this 20th day of October, 2015.

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17 BENJAMIN H. SETTLE
18 United States District Judge
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